

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

VIRTAMOVE, CORP.,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE  
COMPANY,

Defendant.

VIRTAMOVE, CORP.,

Plaintiff,

v.

INTERNATIONAL BUSINESS MACHINES  
CORP.,

Defendant.

Case No. 2:24-cv-00093-JRG

**(LEAD CASE)**

**JURY TRIAL DEMANDED**

Case No. 2:24-cv-00064-JRG

(Member case)

**JURY TRIAL DEMANDED**

**NOTICE OF SUPPLEMENTAL AUTHORITY REGARDING HEWLETT PACKARD  
ENTERPRISE COMPANY’S OPPOSED SEALED MOTION TO TRANSFER VENUE  
PURSUANT TO 28 U.S.C. SECTION 1404 (DKT. NO. 87)**

Pursuant to the Court’s Standing Order Requiring Notice of Relevant Determinations from Related Proceedings, Defendant Hewlett Packard Enterprise Company (“HPE”) respectfully notifies the Court of the following supplemental authority, copies of which are attached, believed to be relevant to the Court’s consideration of HPE’s Motion to Transfer Venue (Dkt. No. 87), which was filed on October 14, 2024, and is fully briefed and pending before the Court:

1. ORDER GRANTING IN PART AND DENYING IN PART 31 Motion to Transfer Case; MOOTING 31 Motion to Dismiss, Dkt. No. 87, *VirtaMove, Corp. v. Amazon.com, Inc.*, No. 7:24-cv-00030-ADA-DTG, (W.D. Tex. Jan. 22, 2025). A copy

of this decision is attached hereto as Exhibit A.

2. ORDER GRANTING 49 Sealed Motion to Transfer, Dkt. No. 86, *VirtaMove, Corp. v. Google LLC*, No. 7:24-CV-00033-DC-DTG, (W.D. Tex. Jan 22, 2025). A copy of this decision is attached hereto as Exhibit B.

As explained in HPE's Motion, in the above-referenced matters pending in W.D. Texas, VirtaMove alleges infringement of the same patents asserted against HPE based on use of the same underlying Kubernetes and Docker software, meaning the relevant evidence and witnesses are largely the same and judicial economy would result from all cases being transferred to NDCA. (Dkt. No. 87 at 6, 13-14).

Dated: January 24, 2025

By: /s/ Katharine Burke

Jennifer H. Doan

Texas Bar No. 08809050

Joshua R. Thane

Texas Bar No. 24060713

HALTOM & DOAN

6500 Summerhill Road, Suite 100

Texarkana, TX 75503

Telephone: (903) 255-1000

Facsimile: (903) 255-0800

Email: jdoan@haltomdoan.com

Email: jthane@haltomdoan.com

Katharine Burke (Lead Attorney)

DC Bar Number: 985333

Katharine.burke@bakerbotts.com

Samuel L. Kassa

DC Bar Number: 187255

Sam.kassa@bakerbotts.com

**BAKER BOTTS L.L.P.**

700 K Street, N.W.

Washington, DC 20001-5692

Tel: (202) 639-7700

Fax: (202) 639-7890

Douglas M. Kubehl

Texas Bar No. 00796909

Doug.kubehl@bakerbotts.com

Morgan Mayne

Texas Bar No. 24084387

Morgan.mayne@bakerbotts.com

Emily Deer

Texas Bar No. 24116352

**BAKER BOTTS L.L.P.**

2001 Ross Avenue, Suite 900

Dallas, TX 75201-2980

Tel: (214) 953-6500

Fax: (214) 953-6503

David Lien (*pro hac vice*)

California Bar No. 313754

David.lien@bakerbotts.com

**BAKER BOTTS L.L.P.**

1001 Page Mill Road, Building One,  
Suite 200

Palo Alto, CA 94304-1007

Tel: (650) 739-7563  
Fax: (650) 739-7663

***ATTORNEYS FOR DEFENDANT  
HEWLETT PACKARD ENTERPRISE  
COMPANY***

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing is being served on all counsel of record who consent to electronic service on January 24, 2025.

By: /s/ Katharine Burke  
Katharine Burke